

REMARKS

Claims 1-44 are pending and at issue in the application with claims 1 and 24 being independent claims. No claims have been amended, added or cancelled. Reconsideration and withdrawal of the rejections in view of the remarks below is respectfully requested.

Claims 1, 2, 4, 5, 7-10, 15, 17, 19, 22-25, 27, 28, 30-34, 36, 42 and 43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nixon et al. (U.S. Pub. Appl. No. 2002/0077711) in view of Saleh et al. (U.S. Pat. No. 7,363,588). Claims 19, 22 and 26 were further rejected under 35 U.S.C. § 103(a) as being unpatentable over Nixon et al. and Saleh et al. in further view of Latzel (U.S. Pub. Appl. No. 2004/0230897). Claims 3, 16, 18, 29, 35, and 41 were rejected under 35 U.S.C. § 103(a) over Nixon et al. and Saleh et al. in further view of Spriggs et al. (U.S. Pat. No. 6,889,096) or Kall et al. (U.S. Pub. Appl. No. 2003/0149608). The applicants respectfully traverse the rejections in light of the amendments above and the remarks below.

In reply to the Response to Arguments on pages 2 and 3 of the action, the action stands incorrect in asserting that the applicants have not accounted for the combination of Nixon et al. and Saleh et al., and for asserting that the applicants' have attacked the references individually. The Office already acknowledged that Nixon et al. does not disclose, among other things, a predetermined viewing format that is a common visual user interface display format for presenting entity data associated with each of a plurality of sections specifying different entity data to be displayed in a same visual user interface format without presenting a same type of entity data in multiple visual user interface display formats (see 8/18/2009 action, pages 4 and 13; and 12/31/2010 action, pages 6 and 15). The applicants are entitled to rely upon this acknowledgement, and need not present any further argument that Nixon et al. does not disclose this feature. It thus remains incumbent upon the applicants to only show that Saleh et al. also does not disclose this feature, thereby demonstrating that ***the combination*** of Nixon et al. (through the action's acknowledgement) and Saleh et al. (through the applicants' arguments) does not disclose each of the features of claims 1-44 as is required for any *prima facie* case of obviousness.

It is clear that in order for a claim to be rendered *prima facie* unpatentable, “[all] words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). See MPEP 2143.03. As required by the Supreme Court in *KSR International Co. v. Teleflex Inc.*, 82 USPQ2d 1385 (2007) (*KSR*), the differences between the claimed invention and the prior art must still be ascertained, and both the invention and the prior art references must be considered as a whole. The result is that all claim limitations must still be disclosed in the prior art. See also *Ex parte Clapp*, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985), MPEP 706.02(j) and MPEP 2141. If all claims limitations are not disclosed in the prior art, either through the action’s acknowledgements and/or the applicants’ arguments, then the rejection must fail.

Indeed, in reliance upon the action’s acknowledgements, the applicants remarked numerous times that ***the combination*** of Nixon et al. and Saleh et al. failed to render any of claims 1-44 unpatentable (see applicants’ response dated December 18, 2009, pages 10, 13 and 14), because neither Nixon et al. nor Saleh et al. disclosed all of the claimed features and the rationale provided in the action does not overcome this lack of disclosure.¹ The applicants supported this conclusion through the action’s acknowledgement with respect to Nixon et al., and by providing, in explicit detail, the reasons why Saleh et al. failed to make up for the deficiencies of Nixon et al. It is thus apparent that the action has not fully accounted for the applicants’ arguments. Accordingly, until such time as the action is able to fully and comprehensively respond to the applicants’ arguments, as presented again below, it remains that the action has not put forth a *prima facie* of obviousness and the rejection must be withdrawn.

Each of claims 1-44 recites a remote data viewing system or a method of viewing entity data collected or generated by a plurality of data source applications. In short, the system or method of claims 1-44 provides a technique for taking data from multiple data sources that provide different visualizations of information and providing a common visualization of information. That is, where a user sees information presented in different

¹ It is notable that the remarks against the asserted rationale to combine, which was presented as a separate argument against the combination of Nixon et al. and Saleh et al., was not even addressed in the action, which the applicants must interpret as meaning that the argument was not considered.

visual user interface display formats among the different data sources, the techniques of the claimed system and method allow a user to see the same information in a common visual user interface display format.

Specifically, the system or method includes a display of a navigational tree and a display view. The navigational tree includes selectable sections specifying different categories of entity data. Entity data associated with a selected section is presented in the display view in a predetermined viewing format, which is a common visual user interface display format for presenting entity data of each of the sections, such that the entity data is displayed in the same visual user interface format without presenting the same type of entity data in multiple different visual user interface display formats. At least some of the data source applications each presents the entity data in different visual user interface display formats.

The action has acknowledged that Nixon et al. does not disclose, among other things, a predetermined viewing format that is a common visual user interface display format for presenting entity data associated with each of a plurality of sections specifying different entity data to be displayed in a same visual user interface format without presenting a same type of entity data in multiple visual user interface display formats (see action, pages 6 and 15). For these reasons, the action cites Saleh et al. However, Saleh et al. does not make up for the acknowledged deficiencies of Nixon et al. Thus, ***the combination of Nixon et al. and Saleh et al.*** fails to render any of claims 1-44 unpatentable, because ***the combination*** does not disclose all of the claimed features. Further, the rationale provided in the action does not overcome this lack of disclosure.

Simply put, the cited portions of Saleh et al. do not disclose a display that presents entity data in a common display format for each of a plurality of sections specifying the different entity data to be displayed in the same format without presenting the same type of entity data in multiple different display formats, ***where each of a plurality of sections is part of a navigational tree specifying different categories of entity data in the database.*** Nixon et al. may disclose a navigational tree having a plurality of sections specifying different categories of entity data in the database. However, when the action acknowledges that Nixon et al. does not disclose a common visual user interface display format for presenting entity

data associated with each of those sections of the navigational tree, it becomes incumbent upon the action to provide a reference that discloses a common visual user interface display format for presenting entity data associated with each of the plurality of sections, *where the sections are part of the recited navigational tree*, or to provide a rationale as to why one of ordinary skill would modify the references in such a manner. In this instance, the action has not done so.

In particular, the portions of Saleh et al. cited in the action, do not disclose or suggest that a common visual user interface display format for presenting entity data associated with each of the sections of a navigational tree. The action has cited and highlighted various portions of Saleh et al. relied upon as disclosing “a common visual user interface display format for presenting entity data associated with each of the plurality of sections,” portions of which are cited below (see action pages 5, 13 and 14):

(col. 2, lines 32-34):

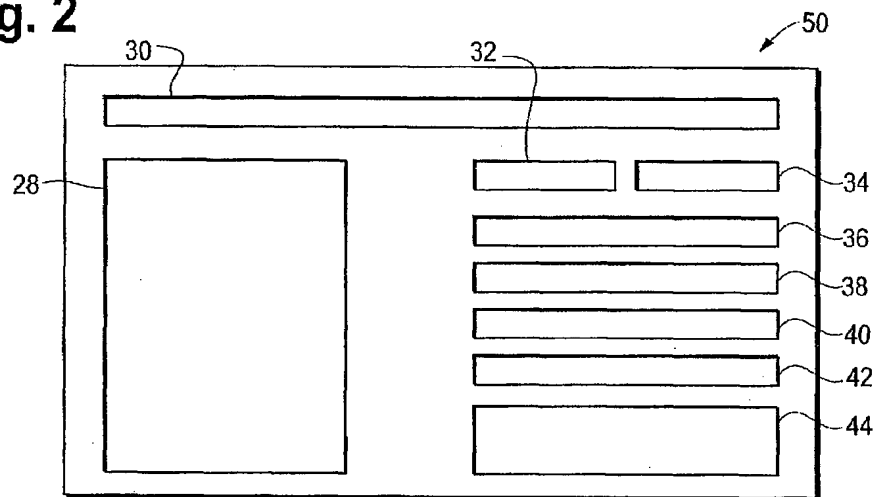
In effect, the proxy server 18 functions as a graphical user interface (GUI) provided under a predetermined format substantially controlled by an employer of the users 12, 14.

(col. 5, lines 16-22):

converting in the proxy server information delivered from the selected information resource to the user from the respective predetermined graphical user display interface format of the selected information resource to the predetermined common graphical user display format substantially controlled by the employer of the user; and

(Fig. 2, elements 28, 32, 34, 36, 38, 40, 42 and 44):

Fig. 2



(col. 3, lines 6-12, (“control features”))

The proxy server 18 may be used with a variety of different applications 22, 24. Where the application 22, 24 is supplied with a pre-existing GUI under html, then the proxy server 18 may function simply to parse the data and control features into their components and display these components in their respective predetermined windows 28, 32, 34, 36, 38, 40, 42, 44.

The only thing that the action has done in citing these portions of Saleh et al. is demonstrate that Saleh et al. discloses a way to map control/display features of different applications 22, 24 to predetermined control windows 32, 34, 36, 38, 40, 44 of a GUI 50 provided under a predetermined format (see e.g., column 2, lines 32-57). Similar to the acknowledgement provided with respect to Nixon et al., there is no disclosure within Saleh et al. that the predetermined common graphical user display format (i.e., GUI 50) presents entity data associated with each of a number of sections of a navigational tree.

Col. 2, lines 32-34 simply discloses that the GUI is provided under a predetermined format. As such, while it discloses a common graphical user interface display format, it says nothing about the common GUI display format presenting entity data associated with each of a number of sections of a navigational tree, and there is nothing inherent about a common GUI display format presenting entity data associated with sections of a navigational tree.

Col. 5, lines 16-22 simply discloses that information is converted from a GUI display format of an information resource to the common GUI display format. Again, it says nothing about the common GUI display format presenting entity data associated with sections of a navigational tree.

Fig. 2 simply discloses an example of the GUI 50 that includes predetermined windows 28, 32, 34, 36, 38, 40, 42, 44. The predetermined windows 28, 32, 34, 36, 38, 40, 42, 44 are elements of the GUI 50. They do not correspond to sections of a navigational tree or present data associated with sections of a navigational tree. As such, like col. 2, lines 32-34 and col. 5, lines 16-22, Fig. 2 discloses nothing about presenting entity data associated with sections of a navigational tree.

Col. 3, lines 6-12 simply discloses that the data and control features of predetermined GUI display formats of the different applications 22, 24 are parsed and displayed in the corresponding predetermined windows 28, 32, 34, 36, 38, 40, 42, 44 of the common GUI 50 display format. It discloses nothing about presenting entity data associated with sections of a navigational tree. It is also notable that the control features mentioned in col. 3, lines 6-12 do not pertain to specifying different entity data of entities within a process plant. Instead, the control features pertain to control features of the different applications 22, 24 that are substantially alike, such that they may be mapped to the control windows 32, 34, 36, 38, 40, 44 of the GUI 50 (see e.g., column 2, lines 32-57).

Accordingly, while individual aspects of Nixon et al. and Saleh et al. may appear to disclose the various features of independent claims 1 and 24, *the combination* does not disclose the same arrangement of the features as provided in independent claims 1 and 24, because there is no aspect of Nixon et al. or Saleh et al. that corresponds to the recited common visual user interface display format for presenting entity data *associated with sections of a navigational tree*.

Further, a person of ordinary skill in the art would not combine or modify Nixon et al. with Saleh et al. based on the rationale provided in the action (i.e., “to provide users with less difficulty in operating, as well as need for training in the operation in a range of different applications”) (see action, pages 5 and 14 citing col. 2, lines 53-57 of Saleh et al.). While this cited portion of Saleh et al. discloses an advantage associated with mapping equivalent

control and display features into the same window of a common GUI display format, it does not pertain to an advantage associated with presenting *entity data associated with sections of a navigational tree*. There is no navigational tree disclosed or suggested in Saleh et al. As such, Saleh et al. cannot provide a rationale for modifying Nixon et al. so as to provide a common visual user interface display format for presenting entity data associated with sections of a navigational tree. Simply put, one of ordinary skill in the art would not look to combine or modify these references in the manner suggested based on the rationale provided. Consequently, Nixon et al. and Saleh et al. do not disclose each and every feature of claims 1-44, nor would it be obvious to combine or modify the references.

Accordingly, none of claims 1, 2, 4, 5, 7-10, 15, 17, 19, 22-25, 27, 28, 30-34, 36, 42 and 43 is rendered obvious by Nixon et al. or Saleh et al., *whether taken alone or in combination*. It therefore follows that Nixon et al. and/or Saleh et al. cannot render any of claims 3, 6, 11-14, 16, 18-22, 26, 29, 35, 37-40, 41 and 44 unpatentable either alone or in view of one of Spriggs et al., Kall et al. or Latzel, particularly given that none of these references have been relied upon as disclosing the above-discussed features.

Conclusion:

For the foregoing reasons, reconsideration and withdrawal of the rejections of the claims and allowance thereof are respectfully requested. Two (2) independent claims remain in the application as previously paid for, and forty-four (44) total claims remain in the application as previously paid for. This response is being filed with a two month extension of time and fee. The applicants believe no additional fee is due. However, the Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 13-2855. Should the examiner wish to discuss the foregoing, or any matter of form, in an effort to advance this application towards allowance, the examiner is urged to telephone the undersigned at the indicated number.

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Respectfully submitted,

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